

# **Exhibit E**

[Page 1]

**ORIGINAL**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----

PHILIP FEI, on behalf of : 07 Civ. 8785  
himself and classes of :  
those similarly situated, :  
Plaintiff, :  
-against- :  
WEST LB AG, :  
Defendant : Rule 30(b)(6)

----

Tuesday, March 18, 2008

----

Pretrial examination of LISA CARRO, held in the  
offices of Outten & Golden, 3 Park Avenue, 29th Floor,  
New York, New York, commencing at 9:05 a.m., on the  
above date, before Mickey Dinter, Registered  
Professional Reporter, Certified Shorthand Reporter  
and Notary Public for the State of New York.

----

U.S. LEGAL SUPPORT  
1 Penn Plaza  
Suite 1410  
New York, New York 10119  
212.759-.6014

----

[Page 2]

1 A P P E A R A N C E S :

2

OUTTEN & GOLDEN, ESQS.

3 BY: LINDA NEILAN, ESQUIRE

3 Park Avenue

4 New York, New York 10016

212.245.1000

5 Counsel for Plaintiff

6

HUGHES, HUBBARD & REED, LLP.

7 BY: NED H. BASSEN, ESQUIRE

One Battery Park Plaza

8 New York, New York, 10004-1482

212.837.6090

9 Counsel for Defendant

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

[Page 11]

1 identification.)

2 BY MS. NEILAN:

3 Q. The reporter has just handed you  
4 Carro Number 1. Have you seen this  
5 document before?

6 A. Yes.

7 Q. And can you turn to page 2? Do you  
8 see that it lists five different topics?

9 A. Yes.

10 Q. The first topic is "Defendant's  
11 policies and practices concerning  
12 compensation of all executives, managers  
13 or comparable positions with different  
14 titles, class members, with respect to  
15 overtime compensation."

16 Do you understand that?

17 A. Yes.

18 Q. And are you qualified to speak to  
19 this topic?

20 A. Yes.

21 Q. For what time period are you  
22 qualified to speak for the topic?

23 A. For the time period from my  
24 employment forward.

25 Q. What is that time period?

[Page 12]

1 A. November 2004.

2 Q. Are you qualified to speak to those  
3 topics from October 2001 to November 2004?

4 A. Not completely, no.

5 Q. Do you see that the second topic is  
6 listed as "Defendant's policies and  
7 practices concerning classification of  
8 Class Members as exempt from the overtime  
9 provisions of the Fair Labor Standards Act  
10 and the New York Labor Law?

11 A. Yes.

12 Q. Do you understand that?

13 A. Yes.

14 Q. Are you qualified to speak to this  
15 topic?

16 A. Yes.

17 Q. For what time period are you  
18 qualified?

19 A. From my employment date forward.

20 Q. Are you qualified to speak to topic  
21 number 2 from November 2004 to the present?

22 A. Correct.

23 Q. Are you qualified to speak to topic  
24 number 2 from October 2001 to November  
25 2004?

1 A. Not completely.

2 Q. The third topic, "Defendant's  
3 policies and practices concerning  
4 reclassification of Class Members as  
5 non-exempt from the overtime provisions of  
6 the Fair Labor Standards Act and the New  
7 York Labor Law," do you understand that?

8 A. Yes.

9 Q. Are you qualified to speak to this  
10 topic?

11 A. Yes.

12 Q. For what time period?

13 A. From the date of my employment  
14 forward.

15 Q. So, you are qualified to speak to  
16 number three from November 2004 to the  
17 present?

18 A. Yes.

19 Q. Are you qualified to speak to topic  
20 number 3 from October 2001 through  
21 November 2004?

22 A. Not completely.

23 Q. When you say "not completely," what  
24 do you mean?

25 A. I may have pieces of information as